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05 DEC 2006

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MCDERMOTT, WILL & EMERY (LOS ANGELES OFFICE)
2049 CENTURY PARK EAST
34TH FLOOR
LOS ANGELES, CA 90067-3208

In re Application of	:	
FREEBAIRN, Neil et al.	:	
Application No.: 10/529,920	:	DECISION ON
PCT No.: PCT/GB02/04499	:	
Int. Filing Date: 04 October 2002	:	PETITION
Priority Date: None	:	
Attorney Docket No.: 072995-0015	:	UNDER 37 CFR 1.47(a)
For: COMMUNICATIONS NODE	:	

This is a decision on applicants' "Renewed Petition Under 37 CFR 1.47(a)," filed in the United States Patent and Trademark Office (USPTO) on 23 October 2006.

BACKGROUND

On 23 August 2006, the Office mailed Decision On Petition Under 37 CFR 1.47(a), dismissing applicants' petition without prejudice.

On 23 October 2006, applicants submitted this renewed petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign after being presented with the application papers or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the non-signing applicant.

Items (1), (3), and (4) were previously satisfied. Applicants list Roger William Stuart Lewis's address as 21 Captan Square, London E14 3EU, United Kingdom.

Item (2) has been satisfied. Applicants have furnished evidence of receipt of the complete copy of the application papers, including the declaration, by the non-signing inventor. Mr. Hill states that he included a complete set of the application papers with his second letter to Mr. Lewis. Mr. Lewis' refusal to sign the declaration is thus subsequent to presentation with a complete copy of the application papers.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including accordation of a 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) date of 06 February 2006.



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Dear Mr. Lewis:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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